UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1999/644
4 June 1999

ORIGINAL: ENGLISH

LETTER DATED 4 JUNE 1999 FROM THE CHAIRMAN OF THE SECURITY COUNCIL COMMITTEE ESTABLISHED PURSUANT TO RESOLUTION 864 (1993) CONCERNING THE SITUATION IN ANGOLA ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

As the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola, I have the honour to transmit herewith the report on my recent visit to Angola, Botswana, the Democratic Republic of the Congo, Namibia, South Africa, Zambia and Zimbabwe regarding implementation of the sanctions imposed against the União Nacional para a Independência Total de Angola (UNITA). I would be grateful if the present letter, together with the report, is circulated as a document of the Security Council.

(Signed) Robert R. FOWLER
Chairman
Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Annex

Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola

Report on the Chairman's visit to Central and Southern Africa, May 1999

1. In its resolution 1237 (1999) of 7 May 1999, the Security Council welcomed and endorsed the planned visit to Central and Southern Africa by the Chairman of the Security Council Committee established pursuant to resolution 864 (1993) concerning the situation in Angola. This is the report of that visit, to Angola, Botswana, the Democratic Republic of the Congo, Namibia, South Africa, Zambia and Zimbabwe from 10 to 27 May 1999. A second visit by the Chairman, principally to Europe, is planned for the summer and will be the subject of a separate report to the Security Council.

2. The purpose of the May visit was to discuss ways to improve the implementation of Council-imposed measures against the União Nacional para a Independência Total de Angola (UNITA) contained in Security Council resolutions 864 (1993), 1127 (1997) and 1173 (1998). These measures include prohibitions on the direct or indirect export of diamonds by UNITA, the sale or supply of petroleum and petroleum products to UNITA, the provision or movement of funds and financial resources to UNITA, UNITA's representation abroad and travel by its senior representatives and the sale or supply to UNITA of arms and related matériel and other forms of military assistance (appendix I contains extracts of the relevant provisions). Specific objectives of the visit were:

(a) To engage Governments, private companies and opinion leaders in discussion to identify measures to improve the effectiveness of the Council-imposed sanctions against UNITA;

(b) To remind Governments of their obligation, under the Charter of the United Nations, to implement the resolutions of the Security Council and to enact the necessary legislation or regulations to this end;

(c) To request Member States, companies and individuals to provide the Committee with information on violations of Council-imposed sanctions against UNITA.

3. The visit did not constitute an investigation of specific allegations of sanctions violations as the Chairman possessed neither the mandate nor the necessary competence, nor did he have the time to permit him to undertake such a detailed analysis. Reports of violations will instead be considered in detail by the expert panels established by the Council in its resolution 1237 (1999), which will report to the Council through the Chairman before the end of 1999 or shortly thereafter.

Context

4. The Chairman's visit occurred in the context of what the United Nations Humanitarian Coordinator in Angola, with whom the Chairman met, subsequently described publicly as an impending humanitarian catastrophe. The number of internally displaced persons in Angola has reached 1.6 million out of a population of some 11 million. Of these, more than 800,000 have been displaced since fighting resumed in December 1998. More than 1 million Angolans have lost there lives in a civil war of more than two decades' duration, the principal victims of which continue to be innocent civilians. This in a country of extraordinary potential wealth, including an anticipated level of petroleum production unequalled in Africa.

5. The Chairman's visit included meetings with three Heads of State (in Angola, Namibia and Zambia), the Foreign Ministers of all seven countries and other senior ministers and officials as well as the Executive Secretary and other representatives of the Southern African Development Community (SADC) and the head of the Subregional Bureau for Southern Africa of the International Criminal Police Organization (Interpol) (a complete listing is included in appendix II). Widespread concern was expressed at the likelihood of continuing warfare in Angola and at the possibility that the juxtaposition of the conflicts in Angola, the Democratic Republic of the Congo and in neighbouring countries could lead to a conflagration throughout the region. Several ministers with whom the Chairman met observed that the security of individuals and of States in the region could not be assured in the absence of a resolution of the conflict in Angola. In the words of one, "For us, Angola is life and death".

6. The Heads of Government, ministers and officials with whom the Chairman met also expressed a widespread willingness to consider practical measures to decrease the revenue available to UNITA, principally from diamond sales, and to increase its costs in acquiring petroleum, armaments and other supplies. None with whom the Chairman met believed that UNITA's international sales, purchases and travels could be blocked entirely but most agreed with the Chairman that Council-imposed sanctions against UNITA could be rendered far more effective than they had been in the past, with the result that UNITA's capacity to wage war would be diminished.

The enforcement and monitoring of sanctions

7. In the course of the Chairman's visit, at one point or another, a significant number of SADC members were alleged to be involved in the violation of sanctions. In the majority of cases, this was believed to be the consequence of private interests acting without the knowledge and, sometimes, despite the efforts of their Governments. Countries outside the region, including in particular several in Central and West Africa and Eastern Europe, were also widely rumoured to be implicated in the systematic violation of Council-imposed sanctions against UNITA. The situation amounted to what one minister described as "a crisis of African solidarity".

8. In the course of his visit the Chairman was informed of the existence of a number of bilateral and regional mechanisms through which allegations of sanctions violations could be addressed. The Chairman stressed how important it

was that allegations of sanctions violations be addressed quickly and, preferably, at the level of officials, so that allegations of sanctions violations did not develop into significant political irritants in bilateral relations, as had happened between Angola and Zambia. The use of working-level bilateral consultative mechanisms as a vehicle through which such allegations can be addressed, is to be encouraged.

9. The Chairman was briefed by telephone by the Minister for Foreign Affairs of Swaziland on a memorandum of understanding signed in Addis Ababa on 23 March, which was intended to diffuse tensions that had developed between the Governments of Angola and Zambia through a series of tripartite meetings held at the invitation of the Government of Swaziland in its capacity as Chairman of the SADC Inter-State Defence and Security Committee. This effort by SADC to develop a process for the exchange of information on alleged sanctions violations is vitally important and most welcome. The Chairman was also briefed on the information-sharing arrangement that exists within the SADC ad hoc committee on Angola sanctions with regard to customs and airspace violations and related issues. This, too, is both important and welcome.

10. Additional steps are required to determine whether and, if so, how Council-imposed sanctions against UNITA are being violated. The establishment of an impartial source of such information would constitute an important confidence-building measure among countries in the region.

Recommendation one: The Secretary-General should be asked to provide recommendations to the Security Council, within three months, on the feasibility of deploying, in the region and elsewhere, a small number of United Nations civilian sanctions monitors possessing expertise relating to customs inspection. By way of example, such inspectors might usefully be deployed in and around the following areas, with a mandate to report on alleged sanctions violations: Ouagadougou, in Burkina Faso; Abidjan, in Côte d'Ivoire; Tshikapa, Dilolo, Kolweizi and Lumbumbashi, in the Democratic Republic of the Congo; Nampula, in Mozambique; Rundu, in Namibia; Kigali, in Rwanda; Durban and airfields in the northern portion of South Africa; Dar es Salaam, in the United Republic of Tanzania; Lomé, in Togo; Kyiv, in Ukraine; Entebbe and Kampala, in Uganda; Mansa, Mongu, Ndola, Livingstone and Zambezi, in Zambia; as well as in Luanda and other Angolan ports.

Recommendation two: Member States, including in particular those possessing significant capacity for intelligence-gathering, should be encouraged to make information on the violation of Council-imposed sanctions against UNITA available to the Committee and/or the SADC ad hoc committee on Angola sanctions and, furthermore, should be encouraged to make the collection of such information a priority.

Recommendation three: The Secretary-General should be invited to provide recommendations to the Security Council on how United Nations support for air surveillance and, possibly, interdiction of UNITA supply flights might be undertaken, and on possible assistance to SADC to enable its members to undertake such surveillance and interdiction on behalf of the United Nations.

Recommendation four: Opportunities for collaboration between the Committee and the SADC entities concerned with Angola sanctions should be developed and expanded.

Recommendation five: Interpol and its two subregional bureaux in Africa, in Abidjan and Harare, should formally be invited to collaborate with the Committee and its expert panels in the application of Council-imposed sanctions against UNITA.

Diamonds

11. Diamond revenues constitute the essential component of UNITA's capacity to wage war, bringing in, it is alleged, approximately $200 million in revenue in 1998 and, by some estimates, as much as $3 billion to $4 billion since 1992. As such, UNITA's diamond-marketing efforts merit particular attention on the part of the Committee and the Council. Unconfirmed reports indicate that such revenues stand to increase following the discovery and exploitation by UNITA of new kimberlite deposits in the territory they continue to control.

12. In implementing measures aimed at reducing the revenue available to UNITA from diamond sales, the Committee and the Council must take care to avoid inflicting collateral damage on the legitimate diamond trade. Diamonds account for more than two thirds of the gross domestic product of two countries neighbouring Angola, Botswana and Namibia, and are an important and legitimate source of revenue elsewhere.

13. In Angola, the Chairman held meetings with the Minister and Vice-Minister of Geology and Mines and with members of the Administrative Council of the Empresa Nacional de Diamantes de Angola (ENDIAMA), the parastatal enterprise charged with the marketing of legitimate Angolan diamonds. Government officials and the senior management of ENDIAMA made clear their commitment both to improving controls on the export of diamonds, including through the redesign of government-issued certificates of origin, and to collaborating with the Committee and its expert panels in this regard and with respect to other recommendations the Committee might make with a view to making it more difficult for UNITA to launder its diamond production through legitimate Angolan channels.

14. In the course of the visit the Committee Chairman met with the Chairman of De Beers Consolidated Mines Limited, with the Managing Director and four additional members of the De Beers Board of Directors, with an Executive Director of the De Beers Central Selling Organization and with company representatives in Angola, the Democratic Republic of the Congo and South Africa. The company's senior management conveyed throughout a commitment on the part of De Beers to work with the Committee and its expert panels in devising practical means to better manage purchasing practices in Central and Southern Africa, to encourage better control mechanisms on the part of Governments in Europe, the Middle East and Asia, and to otherwise limit UNITA's access to the diamond market. The commitment of De Beers to adhere fully to both the letter and the spirit of the Council's sanctions against UNITA is welcome. De Beers management insisted that they wished to be part of the solution to the civil war in Angola rather than part of the problem. The Chairman welcomes such commitments and looks forward to receiving concrete suggestions and proposals

from De Beers and other international diamond companies that would result in resolution 1173 (1998) being implemented more effectively.

15. The Chairman also met with government officials responsible for the diamond industries in Botswana, Namibia and South Africa, with the senior management of the major diamond companies in Botswana and Namibia, and with representatives of the diamond industry in Botswana, the Democratic Republic of the Congo, Namibia and the United States of America. In addition, the Chairman received information from individuals outside the industry, including both journalists and representatives of the non-governmental advocacy community. He looked forward to continuing to receive such valuable information and cooperation.

> Recommendation six: The licensed foreign diamond buyers in Angola (including CODIAM (De Beers/Stenmetz), Dian Limited, Lazare Kaplan International and RDR), the major diamond mining companies active there (including Almazy Rossii-Sakha (ALROSA)) and the industry councils in the major diamond-cutting centres (including the Diamond High Council in Antwerp, the Israeli Diamond Exchange in Tel Aviv and similar organizations in Mumbai and New York) should each be asked to nominate a senior representative to carry out liaison with the Committee and its expert panels in devising practical measures to limit UNITA's access to legitimate diamond markets. Such measures might include a requirement that all diamond-producing countries introduce standardized and credible certificates of origin, and that any parcels of diamonds not possessing valid and verified certificates be subject to forfeiture upon entry to those countries hosting major diamond exchanges.

> Recommendation seven: The expert panels should be invited to provide recommendations on the feasibility of the United Nations appointing a small number of expert monitors at the major diamond exchanges, with the task of identifying and confiscating UNITA diamonds illegally brought to market.

Application of sanctions

16. It was evident, throughout the Chairman's visit that the obligations of Member States with regard to the implementation of Security Council resolutions were imperfectly understood. For example, several Member States in the region had yet to implement legislation or regulations giving force of law to Council-imposed sanctions against UNITA. The introduction of such legislation would be of use both in and of itself and in the political signal it would convey regarding the importance and authority Governments were prepared to accord to the application of the sanctions within their jurisdiction. In addition, the Chairman encountered evidence that the scope of the existing sanctions against UNITA was insufficiently known and understood.

> Recommendation eight: Member States, including in particular those close to Angola, should take immediate steps to enact legislation or regulations making it a criminal offence, under domestic law, for their citizens or other individuals operating on their territory to violate Council-imposed sanctions against UNITA, and identifying specific legal penalties. The Secretary-General should be invited to provide legal advice to this end, including assisting in the drafting of representative legislation and

regulations, with a view to such legal "templates" being made available as models for the introduction of such legislation and regulations.

Recommendation nine: The Secretary-General and the President of the Security Council should jointly convene a briefing for all Member States on the application of Council-imposed sanctions, to outline the obligation of Member States and to provide advice on how that obligation might best be acquitted.

Recommendation ten: The importance of applying Council-imposed sanctions against UNITA should be highlighted at summit meetings and major ministerial meetings and appropriate reference should be included in any communiqués issued.

Recommendations eleven: Industry associations involving companies active in southern Africa, such as the Washington-based Corporate Council on Africa and the London-based British-Angola Forum, should be encouraged to sensitize their corporate members both to their obligation to respect Council-imposed sanctions against UNITA and to the scope of such measures.

Expert panels

17. Throughout the Chairman's visit interlocutors expressed a willingness to cooperate with the expert panels established by the Council in its resolution 1237 (1999). In particular, the panels' potential to resolve allegations of sanctions violations was both noted and appreciated. The panels will, in addition, offer detailed recommendations on steps which might be taken to enhance Council-imposed sanctions regarding, inter alia, diamonds, petroleum, armaments and funding.

Recommendation twelve: The expert panels should be empowered to commission background studies by research institutes and other bodies possessing specific expertise and information useful to their work.

Recommendation thirteen: The expert panels should be encouraged to identify "best practices" with regard to the application of sanctions. These might include both procedural measures, such as the establishment, by both Botswana and Namibia, of inter-departmental committees to coordinate the application of sanctions against UNITA, and legal procedures, such as the enactment by South Africa of a regulation of foreign military assistance act pertaining to the use of mercenaries.

Recommendation fourteen: The Special Rapporteur of the Commission on Human Rights on the question of the use of mercenaries should be invited to contribute to the work of the expert panels.

18. The Council's sanctions against UNITA are not punitive in intention or design but rather are intended to help establish the conditions for a resumption of political dialogue to achieve a durable resolution of the conflict in Angola. The Committee and the Council will, as a matter of course, continue to review UNITA's willingness to engage in political dialogue and calibrate Council-imposed sanctions accordingly.

19. Throughout the visit the individuals with whom the Chairman met indicated that the political will existed to render Council-imposed sanctions against UNITA more effective. The Chairman welcomed the spirit of cooperation and collaboration that was demonstrated in each of the seven countries visited. That determination to give effect to the sanctions will, no doubt, be of great value to the expert panels as they proceed with the next stage in the Council's efforts to implement measures against UNITA.

Appendix I

Relevant provisions of Security Council resolutions 864 (1993), 1127 (1997) and 1173 (1998)

A. Resolution 864 (1993) of 15 September 1993

The Security Council,

...

Acting under Chapter VII of the Charter of the United Nations, ...

...

19. Decides further, with a view to prohibiting all sale or supply to the National Union of arms and related matériel and military assistance, as well as petroleum and petroleum products, that all States that prevent the sale or supply, by their nationals or from their territories or using their flag vessels or aircraft, of arms and related matériel of all types, including weapons and ammunition, military vehicles and equipment for the aforementioned, as well as of petroleum and petroleum products, whether or not originating in their territory, to the territory of Angola other than through named points of entry on a list to be supplied by the Government of Angola to the Secretary-General, who shall promptly notify the Members of the United Nations;

20. Calls upon all States, and all international organizations, to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by an international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of the present resolution;

21. Calls upon States to bring proceedings against persons and entities violating the measures imposed by the present resolution and to impose appropriate penalties;

22. Decides to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council consisting of all the members of the Council to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(a) To examine the reports submitted pursuant to paragraph 24 below;

(b) To seek from all States further information regarding the action taken by them with a view to effectively implementing the measures imposed by paragraph 19 above;

(c) To consider information brought to its attention by States concerning violations of the measures imposed by paragraph 19 and to recommend appropriate measures in response thereto;

(d) To make periodic reports to the Council on information submitted to it regarding alleged violations of the measures imposed by paragraph 19, identifying where possible persons or entities, including vessels, reported to be engaged in such violations;

(e) To promulgate guidelines that may be necessary to facilitate the implementation of the measures imposed by paragraph 19;

23. Calls upon all States to cooperate fully with the committee established by paragraph 11 above in the fulfilment of its tasks, including supplying such information as may be sought by the committee in pursuance of the present resolution;

...

26. Expresses its readiness to consider the imposition of further measures under the Charter of the United Nations, including, inter alia, trade measures against the National Union for the Total Independence of Angola and restrictions on the travel of its personnel unless by 1 November 1993 the Secretary-General has reported that an effective ceasefire has been established and that agreement has been reached on the full implementation of the Peace Accords for Angola and relevant Security Council resolutions;

...

B. Resolution 1127 (1997) of 28 August 1997

The Security Council,

...

Acting under Chapter VII of the Charter of the United Nations,

4. Decides that all States shall take the necessary measures:

(a) To prevent the entry into or transit through their territories of all senior officials of UNITA and of adult members of their immediate families, as designated in accordance with paragraph 11 (a) below, except those officials necessary for the full functioning of the Government of Unity and National Reconciliation, the National Assembly, or the Joint Commission, provided that nothing in this paragraph shall oblige a State to refuse entry into its territory to its own nationals;

(b) To suspend or cancel all travel documents, visas or residence permits issued to senior UNITA officials and adult members of their immediate families, as designated in accordance with paragraph 11 (a) below, with the exceptions referred to in subparagraph (a) above;

(c) To require the immediate and complete closure of all UNITA offices in their territories;

(d) With a view to prohibiting flights of aircraft by or for UNITA, the supply of any aircraft or aircraft components to UNITA and the insurance, engineering and servicing of UNITA aircraft:

(i) To deny permission to any aircraft to take off from, land in, or overfly their territories if it has taken off from or is destined to land at a place in the territory of Angola other than one on a list supplied by the Government of Angola to the Committee pursuant to resolution 864 (1993), which shall notify Member States;

(ii) To prohibit, by their nationals or from their territories or using their flag vessels or aircraft, the supply of or making available in any form, any aircraft or aircraft components to the territory of Angola other than through named points of entry on a list to be supplied by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States;

(iii) To prohibit, by their nationals or from their territories, the provision of engineering and maintenance servicing, the certification of airworthiness, the payment of new claims against existing insurance contracts or the provision or renewal of direct insurance with respect to any aircraft registered in Angola other than those on a list to be provided by the Government of Angola to the Committee created pursuant to resolution 864 (1993), which shall notify Member States, or with respect to any aircraft which entered the territory of Angola other than through a point of entry included in the list referred to in subparagraph (d) (i) above;

5. Further decides that the measures set out in paragraph 4 above shall not apply to cases of medical emergency or to flights of aircraft carrying food, medicine, or supplies for essential humanitarian needs, as approved in advance by the Committee created pursuant to resolution 864 (1993);

6. Urges all States and international and regional organizations to stop travel by their officials and official delegations to the central headquarters of UNITA, except for the purposes of travel to promote the peace process and humanitarian assistance;

...

9. Expresses its readiness to consider the imposition of additional measures, such as trade and financial restrictions, if UNITA does not fully comply with its obligations under the Lusaka Protocol and all relevant Security Council resolutions;

10. Calls upon all States and all international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution, and also calls upon all States to comply strictly with the measures imposed in paragraphs 19, 20 and 21 of resolution 864 (1993);

11. Requests the Committee created pursuant to resolution 864 (1993):

(a) To draw up guidelines expeditiously for the implementation of paragraph 4 of this resolution, including the designation of officials and of adult members of their immediate families whose entry or transit is to be prevented and whose travel documents, visas or residence permits are to be suspended or cancelled in accordance with paragraphs 4 (a) and (b) above;

(b) To give favourable consideration to, and decide upon, requests for the exceptions set out in paragraph 5 above;

(c) To report to the Council by 15 November 1997 regarding the actions taken by States to implement the measures set out in paragraph 4 above;

12. Requests Member States having information on flights prohibited in paragraph 4 (d) above to provide this information to the committee created pursuant to resolution 864 (1993) for distribution to Member States;

13. Requests also Member States to provide to the Committee created pursuant to resolution 864 (1993) information on the measures they have adopted to implement the provisions of paragraph 4 above no later than 1 November 1997;

...

C. Resolution 1173 (1998) of 12 June 1998

The Security Council,

...

Acting under Chapter VII of the Charter of the United Nations,

11. Decides that all States, except Angola, in which there are funds and financial resources, including any funds derived or generated from property of UNITA as an organization or of senior officials of UNITA or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997), shall require all persons and entities within their own territories holding such funds and financial resources to freeze them and ensure that they are not made available directly or indirectly to or for the benefit of UNITA as an organization or of senior officials of UNITA or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997);

12. Decides also that all States shall take the necessary measures:

(a) To prevent all official contacts with the UNITA leadership in areas of Angola to which State administration has not been extended, except for those by representatives of the GURN, of the United Nations and of the Observer States to the Lusaka Protocol;

(b) To prohibit the direct or indirect import from Angola to their territory of all diamonds that are not controlled through the Certificate of Origin regime of the GURN;

(c) To prohibit, upon notification by the Chairman of the Committee created pursuant to resolution 864 (1993) to all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of equipment used in mining or mining services;

(d) To prohibit, upon notification by the Chairman of the Committee created pursuant to resolution 864 (1993) to all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of motorized vehicles or watercraft or spare parts for such vehicles, or ground or waterborne transportation services;

13. Decides further that the Committee created pursuant to resolution 864 (1993) may authorize, on a case-by-case basis, upon a no-objection procedure, exemptions to the measures specified in paragraphs 11 and 12 above for verified medical and humanitarian purposes;

...

15. Expresses its readiness to review the measures specified in paragraphs 11 and 12 above and in paragraph 4 of resolution 1127 (1997) and terminate them, if the Secretary-General reports at any time that UNITA has fully complied with all its relevant obligations;

16. Expresses also its readiness to consider the imposition of further additional measures if UNITA does not fully comply with its obligations under the "Acordos de Paz", the Lusaka Protocol and relevant Security Council resolutions;

17. Calls upon all States and all international and regional organizations to act strictly in accordance with the provisions of this resolution notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of this resolution;

18. Also calls upon all States to implement strictly the measures imposed in paragraphs 19, 20 and 21 of resolution 864 (1993) and paragraph 4 of resolution 1127 (1997), as well as to comply with paragraph 6 of resolution 1127 (1997);

...

Appendix II

Individuals with whom the Committee Chairman met

Angola

President

Minister of External Relations

Minister of Defence

Minister of Geology and Mines

Diplomatic Adviser to the President

Vice-Minister of Geology and Mines

Vice-Minister of Petroleum

Members of the Administrative Council of the Empresa Nacional de Diamantes de Angola (ENDIAMA)

Representatives of UNITA-Renovada

Officer-in-Charge and members of the United Nations Observer Mission in Angola (MONUA)

United Nations Humanitarian Coordinator

Director, United Nations Human Rights Unit

Executive Director, Central Selling Organization, and a representative of De Beers in Angola

Managing Director, Cabinda Gulf Oil (Chevron)

Acting General Manager, Ranger Oil

Members of the diplomatic corps

Botswana

Minister for Foreign Affairs

Minister of Minerals, Energy and Water Affairs

Permanent Secretary to the President

Deputy Permanent Secretary to the President (Political Affairs)

Permanent Secretary of Foreign Affairs

Permanent Secretary of Mineral, Energy and Water Affairs

Acting Governor of the Bank of Botswana

Managing Director, Debswana Diamond Company (Pty) Limited

Members of the Inter-Ministerial Committee on the Implementation of Sanctions against UNITA, including the Acting Commissioner of Police, the Chief Immigration and Citizenship Officer, the Director of Civil Aviation, the Director of the Security Intelligence Service and representatives of the Attorney-General's Chambers and of Customs and Excise

Executive Secretary, Southern African Development Community (SADC)

Democratic Republic of the Congo

Minister of State for Interior

Minister of State for External Affairs and International Cooperation

Minister of State for Economy and Industry

Minister of State for Human Rights

Governor of Bas-Congo

Secretary-General, Ministry of Foreign Affairs

Director of Studies, National Security Council

Director (Americas-Asia), Ministry of Foreign Affairs

Representatives of the precious metals committee of the Federation des Entreprises du Congo, Orgadiam and SEDICO/De Beers

Members of the diplomatic corps

Namibia

President

Minister for Foreign Affairs

Permanent Secretary, Ministry of Foreign Affairs

Deputy Permanent Secretary, Ministry of Foreign Affairs

Chief of Staff of the National Defence Forces

Secretary, Diamond Board

Chief Executive Officer, Namdeb Diamond Corporation (Pty) Limited

Members of the inter-ministerial committee on sanctions against UNITA

South Africa

Minister for Foreign Affairs

Deputy Minister for Foreign Affairs

Deputy Director-General (Multilateral Affairs), Department of Foreign Affairs

Chief Director, Southern Africa, Department of Foreign Affairs

Director, United Nations Political and Security Affairs, Department of Foreign Affairs

Representatives of the Departments of Defence, Intelligence, Minerals and Energy, Safety and Security, and Trade and Industry

Deputy Chief Executive Officer, South African Diamond Board

Chairman, Managing Director and Members of the Board of Directors, De Beers Consolidated Mines Limited

Jan Smuts Professor of International Relations, University of Witwatersrand

Executive Director and members of the research staff, Institute of Security Studies

Zambia

President

Minister for Foreign Affairs

Deputy Minister for Foreign Affairs

Deputy Minister of Defence

Deputy Minister of Home Affairs

Director-General, Office of the President (SD)

Permanent Secretary, Ministry of Foreign Affairs

Acting Permanent Secretary, Ministry of Mines and Mineral Development

Deputy Permanent Secretary (Africa, Organization of African Unity, Middle East, Asia and Pacific), Ministry of Foreign Affairs

Deputy Permanent Secretary (Americas, Caribbean, International Organizations), Ministry of Foreign Affairs

Director, Africa and Organization of African Unity, Ministry of Foreign Affairs

Members of the diplomatic corps

The Chairman also visited Zambezi and the Chingi border crossing.

Zimbabwe

Minister for Foreign Affairs

Minister of Defence

Permanent Secretary of Foreign Affairs

Permanent Secretary of Mines, Environment and Tourism

Director-General, Central Intelligence Organization, on behalf of the Chairman of the SADC ad hoc committee on Angola

Head, Subregional Bureau for Southern Africa, International Criminal Police Organization (Interpol)

General Manager, Zimbabwe Defence Industries

Members of the diplomatic corps

Appendix III

Statement issued by the National Union for the Total Independence of Angola (UNITA) on the Chairman's visit*

The National Union for the Total Independence of Angola (UNITA)

The Standing Committee of the Political Commission 1999 - Year of Generalized Popular Resistance

The Standing Committee of the Political Commission of the National Union for the Total Independence of Angola (UNITA) has been following the diatribe of Robert Fowler, Chairman of the committee on the unjust sanctions that the United Nations decreed against UNITA as from September 1993. In this regard, UNITA issues the following statement:

1. It was not UNITA that broke its work with the representatives of the international community who, through MONUA, were involved in the peace process in Angola.

   It was the Government of Jose Eduardo dos Santos which, from June 1988 to January 1999, completely sabotaged MONUA's mission as contained in the Lusaka Protocol, by:

   1. Categorically and brutally refusing to allow the Special Representative of the United Nations Secretary-General, Issa Diallo, to contact Dr. Jonas Malheiro Savimbi, President of UNITA; this in disobedience of the United Nations Security Council resolution on this matter;

   2. Cancelling and unilaterally winding up the United Nations mission in Angola in November 1998. This humiliating act is proof of a totally irresponsible and disrespectful attitude towards that organization on the part of Jose Eduardo dos Santos.

2. Let those who have distinguished themselves by their incompetence in facilitating the resolution of the Angolan crisis leave Angolans to work out their own solutions to their problems. The obstinate stand adopted by the United Nations towards UNITA had blinded that international organization to the fact that these sanctions are unjust and excessive.

3. To the Canadian Robert Fowler - UNITA rejects any attempt to lecture Angolans. Do not come to our country with your hands dripping with

---

* Unofficial translation from Portuguese provided by the Government of Angola.

the blood of the native people of Canada, the eskimos, whom you murder on a daily basis in your country. Canadians should first of all correct their genocidal stance.

Bailundo, 14 May 1999
The Standing Committee

UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/1999/645
4 June 1999

ORIGINAL: ENGLISH

SIXTH REPORT OF THE SECRETARY-GENERAL ON THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

I. INTRODUCTION

1. By paragraph 11 of resolution 1231 (1999) of 11 March 1999, the Security Council requested me to keep the Council closely informed on the situation in Sierra Leone and in this regard to submit a report, by 5 June 1999, with recommendations on the future deployment of the United Nations Observer Mission in Sierra Leone (UNOMSIL) and the implementation of its mandate. The present report is submitted in accordance with that request.

II. POLITICAL DEVELOPMENTS

Dialogue process

2. Since my report of 4 March 1999 (S/1999/237), the peace process in Sierra Leone has made significant progress, culminating in the signing of a ceasefire agreement on 18 May 1999 (see S/1999/585, annex) and the start of dialogue between the Government of Sierra Leone and the Revolutionary United Front (RUF) at Lomé on 25 May.

3. The signing of the ceasefire agreement and the inception of talks with RUF to a large extent reflect the outcome of a number of important initiatives undertaken by the Government of Sierra Leone. In early to mid-March, President Ahmad Tejan Kabbah visited several key countries in the subregion, including Côte d'Ivoire, Ghana, Nigeria and Togo, to discuss the situation in Sierra Leone and possible ways forward with the support of the Economic Community of West African States (ECOWAS) and its Monitoring Group (ECOMOG). In a radio address to the nation on 14 March, President Kabbah expressed his appreciation for the assistance provided by those countries and reaffirmed his commitment to the dual-track approach, which involves strengthening ECOMOG while being prepared to talk to RUF and the Armed Forces Revolutionary Council (AFRC).

4. The Government's initiatives were accompanied by considerable diplomatic activity in the subregion on the part of a number of Governments and organizations in the subregion and elsewhere, including the current Chairman of ECOWAS, President Gnassingbe Eyadema of Togo; the ECOMOG troop-contributing

countries, namely Nigeria, Guinea, Ghana and Mali; the Governments of the United Kingdom of Great Britain and Northern Ireland and the United States of America and the United States Presidential Special Envoy for the Promotion of Democracy in Africa, the Rev. Jesse Jackson; and my Special Representative for Sierra Leone, Francis G. Okelo.

5. The opening of talks between the Government and RUF at Lomé on 25 May followed internal consultations there between the RUF leader, Corporal Foday Sankoh, and a delegation of 14 RUF representatives from within Sierra Leone. At the Government's request, UNOMSIL transported Corporal Sankoh from Freetown to Lomé on 18 April. Subsequently, UNOMSIL also transported the 14 other RUF representatives from other parts of Sierra Leone to Lomé via Monrovia with the cooperation and support of the Government of Liberia and the assistance of the United Nations Peace-building Support Office in Liberia. UNOMSIL has also provided some logistical support for the Government of Togo, which is hosting the talks, through the use of the Trust Fund to Support United Nations Peacekeeping-related Activities in Sierra Leone.

6. Although Corporal Sankoh was still pursuing his appeal against his conviction and sentence to death for treason, the Government granted him judicial leave to pursue the dialogue process. On 29 May, the Government and the RUF delegation reached an understanding on the status of Corporal Sankoh. The Government undertook to take the appropriate legal steps to grant him an absolute and free pardon, and Corporal Sankoh said that his delegation would proceed with the dialogue.

7. The internal RUF talks lasted from 26 April to 10 May and resulted in a position paper reflecting the RUF/AFRC views and demands. The position paper calls, inter alia, for a blanket amnesty for all personnel of RUF and AFRC, which had organized the coup d'état in Sierra Leone in May 1997; and the establishment of a four-year transitional Government. The main functions of the transitional Government would include the drafting of a new constitution; the reform of the national security forces and civil service; the encampment, disarmament, demobilization and reintegration of all combatants; and the establishment of a national electoral commission. RUF expressed readiness to convert itself into a political party.

8. RUF stipulated that a neutral peace monitoring group should be deployed as part of the ceasefire arrangements following the signing of a peace agreement. Other demands include the departure of all foreign troops and mercenaries from Sierra Leone within 14 days of the signing of the agreement, and the termination of the Status of Forces Agreement between the Governments of Sierra Leone and Nigeria.

9. On 14 May, the Government of Sierra Leone issued a response to the RUF position paper, stressing the unconstitutional nature of the proposal for a transitional Government. At the same time, the Government emphasized that the proposal for an amnesty for all combatants would be examined with a view to achieving permanent peace, while taking into account gross human rights violations committed against the citizens of Sierra Leone. The government statement endorsed the importance of the transformation of RUF into a political party and pledged the Government's full support for that process.

10. In order to help create conditions conducive to the success of the Government-RUF talks, my Special Representative proposed a cessation of hostilities for the duration of the dialogue process. This proposal was strongly supported by the Government of Togo and resulted in the signing, on 18 May, of an agreement between the Government and RUF to cease fire (S/1999/585, annex). According to the agreement, which came into effect on 24 May, both parties were to maintain their respective positions and refrain from hostile or aggressive acts. Other provisions included the guarantee of safe and unhindered access by humanitarian organizations to all people in need; the immediate release of prisoners of war and non-combatants; and the deployment, subject to the authorization of the Security Council, of United Nations military observers to observe compliance with the ceasefire agreement.

11. The peace talks have started off well, with the two parties expressing their firm commitment to the peace process and determination to work together to resolve the conflict. The dialogue process is being guided by a Facilitation Committee chaired by the Foreign Minister of Togo, with the participation of ECOWAS, the Organization of African Unity (OAU) and my Special Representative. Within Sierra Leone, the dialogue process has benefited from the active involvement of the Parliament and civic groups. Among these, the Inter-Religious Council of Sierra Leone, supported by the World Conference on Religion and Peace, has played a particularly active role. President Kabbah has proposed that the Council, whose role has been appreciated by both sides, should become one of the moral guarantors of a future peace agreement.

12. On 2 June, the Government and RUF decided to ask UNOMSIL to establish a committee to effect the immediate release of prisoners of war and non-combatants in accordance with the 18 May ceasefire agreement. The committee, which is to be chaired by the UNOMSIL Chief Military Observer, comprises representatives of the International Committee of the Red Cross (ICRC), the United Nations Children's Fund (UNICEF), other United Nations agencies and non-governmental organizations.

Relations between Sierra Leone and Liberia

13. There have been continued allegations of arms shipments reaching the rebels in Sierra Leone either through or from Liberia. On 8 April, the ECOMOG Force Commander, Major-General Felix Mujakperuo, announced that ECOMOG had confirmed the involvement of the Governments of Liberia and Burkina Faso in the shipment and delivery of arms to the rebels on 14 and 15 March. The details of this incident and another alleged incident on 20 April were brought to the attention of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone. The Government of Liberia has denied the allegations.

14. Given the persistent tension between Sierra Leone and Liberia resulting from allegations of arms supplies to the rebels, the Security Council requested me, in resolution 1231 (1999), to consider, in coordination with the countries of the Mano River Union and other States members of ECOWAS, the practicality and effectiveness of the deployment of United Nations monitors, along with ECOMOG forces, at the Sierra Leone/Liberia border. Such a presence could improve the security climate and build confidence between the two countries. Accordingly, I wrote to both the Chairman and the Executive Secretary of ECOWAS on 12 April,

seeking their views on the possible deployment of ECOMOG troops and the subsequent deployment of United Nations personnel along the border.

15. In his reply, dated 26 April 1999, the Executive Secretary, Lansana Kouyaté, stated that the Chiefs of Staff of the countries contributing troops to ECOMOG in Sierra Leone, who had discussed my letter at their meeting at Abuja, welcomed the proposal in principle. However, citing the difficult terrain along the border and the consequent need for adequate equipment, Mr. Kouyaté proposed that the United Nations should assist in providing the necessary logistical equipment, including helicopters, communications and ground transportation. He requested the United Nations to dispatch a technical team to discuss with ECOMOG the modalities and requirements of deployment. On 7 May, the Under-Secretary-General for Peacekeeping Operations, Bernard Miyet, invited ECOWAS to indicate how many ECOMOG troops would be required, and the time needed for their deployment, and requested a detailed statement of ECOMOG's logistical requirements. This information can be provided to the Security Council as soon as it is received.

16. There have also been positive developments in the relations between Sierra Leone and Liberia. For example, there is increased contact among civic groups in both countries as demonstrated by the visits to Liberia of the Inter-Religious Council of Sierra Leone and the National Union of Sierra Leone Students. Moreover, a delegation of the Liberian Senate met with President Kabbah in Freetown in early April to offer the support of the Government and people of Liberia for the resolution of the armed conflict in Sierra Leone. The delegation proposed that the three parliaments of the countries of the Mano River Union should work together, under the coordination of Mali, to help to end the conflict.

17. On 27 May, the first annual conference of the Mano River Parliamentary Union opened in Monrovia. Although no Sierra Leonean representative attended the conference, President Taylor stated in his address to the delegates of Liberia, Guinea and Mali that he would do his utmost to ensure peace and security in Guinea and Sierra Leone, since peace in Liberia could be assured only if its neighbours were also at peace.

III. MILITARY AND SECURITY SITUATION

18. The military and security situation in Sierra Leone has remained fluid and complex. Following his assumption of the command of ECOMOG in late March, the new Force Commander, Major-General Felix Mujakperuo, launched an offensive to provide a larger security cordon around Lungi and Freetown. As a result, ECOMOG succeeded in opening the roads connecting Freetown with Lungi, Port Loko and Kambia in the western and north-western parts of the country. Moreover, the clearance of a subsidiary road from Freetown to Bo via Moyamba opened up a land route for supplies to Bo and Kenema. ECOMOG also retains its positions at Kabala and Bumbuna. Since my previous report, ECOMOG's military capabilities have been further strengthened with a substantial increase in communications facilities and air assets.

19. However, RUF/AFRC continue to dominate many areas of Sierra Leone, particularly in the Northern and Eastern Provinces. They also have considerable freedom of movement in parts of the Western Area and the Southern Province, where they retain the capability to interdict ECOMOG lines of communication and carry out raids. The Kono diamond mining area is also still under RUF/AFRC control. Two attacks on Kenema have recently been repulsed, although a large rebel group has advanced to around 15 miles north of the town. Continued reports of arms supply reaching RUF/AFRC indicate that their fighting capacity remains strong. In addition, they have significantly strengthened their anti-aircraft capabilities, an achievement attributed to the use of foreign expertise. The existence of pockets of forces behind the other party's lines, especially around the north-south Bo-Kabala axis, is expected to complicate the monitoring of the ceasefire.

20. Both before and after 24 May, when the ceasefire took effect, rebel activity in the north-west increased considerably, amid mutual accusations by the parties of violations. A rebel group, largely composed of troops of the former Republic of Sierra Leone Military Forces (RSLMF), has been detected in the area north of Occra Hills/south of Port Loko, and there is a large build-up of RUF/AFRC in the area north of Lunsar and Port Loko. This build-up poses a threat to Port Loko/Rogberi and possibly to Lungi, which ECOMOG has warned it will forcibly resist. Prior to the ceasefire, RUF/AFRC attacked some ECOMOG positions in the area of Port Loko, including Port Loko itself, and in the Occra Hills where both sides have suffered casualties. RUF/AFRC also undertook raids on undefended villages, committing atrocities at a scale not seen since their retreat from Freetown in January (see sect. V below). Freetown remains subject to a curfew, albeit at reduced hours, and ECOMOG continues to operate checkpoints to curb rebel infiltration.

Creation of a new Sierra Leone armed forces

21. As detailed in my second progress report on UNOMSIL of 16 October 1998 (S/1998/960), the Government's efforts to improve security involve the creation of a new armed forces of 5,000 troops, the restructuring of the Civil Defence Forces (CDF) and the reform of the Sierra Leone Police Force.

22. On 10 May, the first 562 troops completed three months of elementary training and, at the initiative of the Government of Nigeria, elementary cadet training has been provided for 81 future officers at the Nigerian Defence Academy. The efforts to create a new Sierra Leone army have received significant support from the Government of the United Kingdom, which is providing both training assistance and equipment.

Reconstitution of the Sierra Leone Police Force

23. Another aspect of these efforts concerns the rebuilding of the Sierra Leone Police Force, which suffered severely during the rebel invasion of Freetown, with some 200 officers being killed and many police stations destroyed. With donor assistance, the Government has made considerable progress in reconstituting a functioning police presence in the capital, but reversing the extent of the damage and the collapse of the police structure in most parts of the country will require substantial external assistance.

24. As noted in my earlier reports, the support provided by the Commonwealth Police Development Task Force and the UNOMSIL civilian police advisers had contributed significantly to the Sierra Leone Police Force reform efforts. In April 1999, two Commonwealth police advisers visited Sierra Leone with a view to the eventual resumption of their activities. I will present to the Security Council at an appropriate time in the near future my plans for a resumption of activity in Sierra Leone by United Nations civilian police advisers to render tangible assistance in cooperation with bilateral donors.

IV. DISARMAMENT AND DEMOBILIZATION

25. Since my report of 4 March 1999 (S/1999/237), the disarmament, demobilization and reintegration programme has been at a near standstill. A joint World Bank/British Department for International Development team found in March that some of the original programme assumptions and guiding principles were no longer applicable and that the programme would have to be re-adjusted to reflect the changed political environment and security situation. Based on their recommendations, the pilot phase of the programme, which was designed to accommodate existing ex-combatants as well as those who might surrender before the signing of a new peace agreement, has since resumed. However, any subsequent large-scale disarmament, demobilization and reintegration activity will require the implementation of a peace agreement and the stabilization of the security situation. This matter is still under consideration by the National Committee on Disarmament, Demobilization and Reintegration.

26. The approximately 1,300 ex-combatants, who had been originally part of the disarmament, demobilization and reintegration process at Lungi, continue to be housed under appalling conditions in Freetown. Despite a decision on 12 April by the National Committee on Disarmament, Demobilization and Reintegration to move them to Lungi, ECOMOG opposes their relocation because of continued insecurity in the area. As a result, plans are under way to improve their current living conditions. This matter is also under consideration by the National Committee.

27. Meanwhile, under the framework of its child protection network, UNICEF, in cooperation with ECOMOG and UNOMSIL, has been providing services to children released by RUF/AFRC as part of the overall peace negotiations. Child welfare agencies have also begun developing strategies and policies for child soldiers within the overall framework of the disarmament, demobilization and reintegration programme, while the United Nations Development Programme (UNDP) is reviewing its involvement in the reintegration phase of disarmament, demobilization and reintegration. Other specialized agencies of the United Nations system and humanitarian organizations have started conceptualizing and examining possible links to humanitarian assistance and rehabilitation programmes.

V. HUMAN RIGHTS

28. The reporting period has been marked by a resurgence of rebel atrocities against civilians, most of them reported from the provincial towns of Masiaka

and Port Loko. Based on eyewitness accounts, the human rights abuses by RUF/AFRC have included significant numbers of summary executions, mutilations, limb amputations, abductions and sexual abuse, as well as the large-scale destruction of property. Civilians in the affected areas are also suffering significant humanitarian deprivation.

29. Although there was a drop in the number of reported cases of gross human rights violations during March, escapees from rebel-held territories continued to provide disturbing accounts of abusive rebel behaviour against civilians, including physical and psychological torture and harassment. In Makeni and Koinadugu, escapees reported that RUF/AFRC had imposed punitive food taxes, restricted the movement of civilians and operated a harsh justice system. A UNOMSIL investigation team that visited Masiaka after the town's recapture by ECOMOG/CDF received testimonies of ill-treatment of civilians, some of whom were killed or mutilated after being accused of sympathizing with pro-government forces. Moreover, a large number of boys and male adolescents in the area had the letters "RUF" engraved across their chests with razor blades.

30. During a rebel attack on Port Loko on 7 May, over 20 civilians are believed to have been summarily executed by a group of RUF/AFRC at nearby Mangarma village. Survivors also reported summary executions in other areas around Port Loko, which were attributed in at least two villages to a well-orchestrated rebel strategy carried out at the orders of rebel commanders. In the Masiaka area, the UNOMSIL team observed a number of bodies and received credible reports that eight decapitated bodies and severed heads of civilians had been displayed on the roadside by retreating RUF/AFRC. In one incident in Masumana village between Masiaka and Mile 38, eye witnesses described the murder of several infants by RUF/AFRC.

31. RUF/AFRC forces have also continued their practice of limb amputations, and at least a dozen victims have suffered this form of torture over the past month alone. In Mangarma village, RUF/AFRC reportedly amputated the arms of two of their civilian captives and then instructed them to walk to Port Loko town to alert the Malian contingent of ECOMOG of the RUF/AFRC impending attack. One victim, a male teacher, was hospitalized in Freetown after RUF/AFRC cut off both his arms, as well as his ears and lips.

32. A large number of civilians are believed to have been abducted by RUF/AFRC over the past three months. The abductions have reportedly followed a consistent pattern where RUF/AFRC retreating from a town or village have forced men, women and children to go with them to serve as porters, potential recruits or sex slaves. Most of these abductees are still being held by RUF/AFRC. In Matteh village near Masiaka, the section chief estimated the number of abductees in the area to be in the thousands. Most of the people interviewed in the Port Loko and Masiaka areas said they had lost close family members through abduction. One man told UNOMSIL that 15 members of his immediate family had been abducted by RUF/AFRC.

33. My Special Representative in Sierra Leone has already expressed to RUF/AFRC the deep concerns of the United Nations over the reported abuses of human rights and violations of international humanitarian law. Following the fact-finding visit by UNOMSIL human rights officers to Masiaka, the Special Representative

shared the findings of the mission with Corporal Foday Sankoh, and presented the RUF delegates with an aide-mémoire on human rights issues. RUF has since pledged to set up an internal investigation to probe these allegations and has requested support from the international community.

34. After concerns had been raised by my Special Representative and others regarding human rights violations attributed to ECOMOG and CDF soldiers in the wake of the rebel incursion into Freetown in January (see S/1997/237), the ECOMOG High Command has taken concrete positive steps to address this issue. In April, the ECOMOG Force Commander initiated the formation of a Civil/Military Relations Committee which will, inter alia, investigate allegations of human rights violations against individual members of ECOMOG and CDF and recommend appropriate action to the higher authorities. Membership in the Committee includes representatives of the National Commission for Democracy and Human Rights, the Bar Association, the police, the media, civil society and the Government, with UNOMSIL participating in an observer capacity.

35. In spite of the goodwill exhibited by the ECOMOG High Command, there have been a few reports of ill-treatment of the civilian population by ECOMOG, CDF and Civil Defence Units (CDU). It is also reported that detainees from rebel-controlled areas face a high risk of intimidation and even execution as alleged rebel collaborators. For instance, information has been received of the execution of up to 30 escapees by CDF forces (Kapras) at Kagbantama, near the town of Gbinti in the Northern Province. In a separate report, a woman from Moyamba District in the south-west provided detailed information on an alleged attack on the town of Bradford by CDF forces (Kamajors) in which at least six civilians are believed to have lost their lives. In April, a reliable informant reported the severe beating and detention for two days of a man and a woman in central Freetown.

36. Various sources, including United Nations agencies, report that there is continued widespread recruitment of children by CDF in the Southern and Eastern Provinces, especially at Bo and Kenema. Agencies also report that a number of children who had been demobilized from CDF are known to have been subsequently re-recruited. This is an issue of great concern, especially considering the promise made last year by the Government of Sierra Leone to my Special Representative on Children and Armed Conflict to demobilize and discontinue the practice of recruiting children under 18 years of age into the armed forces of Sierra Leone. My Special Representative in Freetown continues to monitor the situation closely and raises the relevant issues with the Government. Government officials in the Southern Province have reportedly acted to halt underage recruitment by CDF elements.

37. On 27 April, President Kabbah announced the establishment under statute of a new Human Rights Commission for Sierra Leone, replacing the human rights role of the National Commission for Democracy and Human Rights. The body will have some form of adjudicatory authority and considerable implementation powers. UNOMSIL has informed the Government of its support for this initiative and has promised to provide, in collaboration with the Office of the United Nations High Commissioner for Human Rights, the necessary technical assistance.

38. In the context of its technical cooperation activities, UNOMSIL also continues to provide full secretariat support to the Sierra Leone Human Rights Committee, comprising the National Commission for Democracy and Human Rights, national non-governmental organizations and United Nations agencies. Membership also includes the Inter-Religious Council of Sierra Leone and Human Rights Watch. The Committee remains a valuable forum for the exchange of information and for strategy development. In this context, UNOMSIL is assisting the non-governmental organization community to develop positions on the role to be played and issues of human rights within the peace process. Renewed efforts are being made to identify funding whereby the Committee can develop its own institutional identity.

39. The United Nations High Commissioner for Human Rights, Mary Robinson, has accepted the invitation of the Government of Sierra Leone to visit the country towards the end of June, accompanied by a panel of prominent human rights personalities. The purpose of the visit will be to support the peace process, to encourage future programmes for the promotion and protection of human rights in the country, and to draw attention to the plight of children, women and civilians bearing the brunt of the excesses in Sierra Leone. With the coordination of UNOMSIL, which is hosting the visit, a range of civil society actors in Sierra Leone are already exploring ways to maximize the impact of the visit of Mrs. Robinson with regard to both the short- and long-term human rights needs of the country.

VI. HUMANITARIAN SITUATION

40. Since my previous report, an already desperate humanitarian situation has worsened. Rebel gains have increased the number of needy people while at the same time limiting aid workers' access to affected areas. At present, nearly half, or 2.6 million, of the Sierra Leonean population in the Northern and Eastern Provinces is effectively out of the reach of humanitarian agencies. Another 480,000 have become refugees. While the number of internally displaced persons in accessible areas remains relatively constant, at about 370,000, there are many more civilians countrywide who have been directly affected by the war in and around their own homes and villages. Many of these have been forced to live under rebel control and denied their right to sufficient food, shelter and health care. In addition, it is estimated that well over one million civilians countrywide still require some form of humanitarian assistance.

41. Even in government-controlled areas, despite some successes, obtaining access to civilians remains a challenge. For instance, it has been possible to access areas such as Pujehun, Bonthe and Bo districts in the Southern Province as well as parts of Kenema district in the Eastern Province. Additionally, owing to recent ECOMOG advances, agencies have assessed needs in a few towns in the north, such as Yele, by road from Bo. However, it remains impossible to move humanitarian goods to the east and south by road owing to RUF blockades of key junctions on the Freetown-Bo highway. While some aid can reach the provincial capitals of Bo and Kenema by air, the inability to transport food by road has led to a depletion of stocks in these areas. Additionally, the security situation in the immediate environs of Kenema remains unclear, and has prevented humanitarian intervention in many chiefdoms.

42. Given these difficulties, urgent measures are now being taken in cooperation with the Government to explore other ways of transporting food aid. At present, food agencies have leased a ship to transfer food to Nitti port, where it can then be driven by road to Bo. If successful, this route will allow for the supply of food to war-affected people. The World Food Programme has also requested to send food along the Freetown-Bo highway, which was recently re-opened by commercial transporters, but had not received clearance from the Government at the time of the present report. In the meantime, the remaining limited amount of food in these areas has been prioritized for therapeutic and supplementary feeding centres as well as camps for internally displaced persons.

43. Meanwhile, in government-controlled areas, including Freetown and parts of the southern and eastern areas, the humanitarian community has mobilized to provide some form of support to about 370,000 individuals. At present, more than 120,000 registered internally displaced persons living in camps are receiving a comprehensive package of assistance, including food, shelter and health services. However, with more than 80 per cent of the buildings destroyed in some parts of Freetown, many thousands more are squatting in other areas or staying with relatives. A war-ravaged economy, characterized by low incomes and high costs for food and other basic items, has compounded their suffering.

44. To address chronic food insecurity, emergency seeds and tools have been distributed to farmers who lost their property to armed groups in Port Loko, Kenema and Bo districts as well as the Western Area. The United Nations continues to support the Government in its efforts to buy imported rice and to access food on a bilateral basis from donor Governments.

45. Basic support for clinics and hospitals has continued to come from UNICEF, the World Health Organization (WHO) and the medical non-governmental organizations. Some 25 health centres and eight mobile clinics are now functioning in Freetown, with 25 operating in southern Bo, Pujehun and Bonthe districts. Large-scale expanded programme of immunization campaigns have successfully headed off a measles epidemic around Freetown, Kenema and Bonthe, with more than 65,000 children vaccinated in those areas.

46. As of mid-May, UNICEF had registered a total of 3,384 children who had been missing since January 1999 from the Freetown area. More than 500 of these have been traced and reunified with their families. However, abductions of large numbers of children persist. The Child Protection Network continues to trace such incidents and to provide programmes to help unaccompanied children, demobilized child soldiers and other children with special needs.

47. Finally, water trucking, well chlorination and waste management activities in most camps for internally displaced persons have reduced the level of waterborne diseases such as cholera and diarrhoea. Plastic sheeting, nails, wood and kitchen sets have been provided to some urban households and to displaced persons in camps in the west, east and south. The needs in this area, however are considerable and require continued intervention as well as resources.

48. While the humanitarian situation remains dire, the recent ceasefire and initiation of dialogue between the parties to the conflict has been welcomed by

the humanitarian community as the best possible means for resolution of the long-standing crisis. The provision in the recent ceasefire agreement for safe and unhindered access for humanitarian organizations to all people in need is a significant step towards ensuring the countrywide delivery of assistance. However, turning the combatants' humanitarian commitment into a reality requires careful planning, good faith and confidence-building. As noted earlier in the present report, my Special Representative has provided the parties to the conflict with a proposal on humanitarian access, detailing, inter alia, the obligations of the parties under international humanitarian law to provide the enabling environment for humanitarian intervention. This proposal, prepared by the United Nations country team under the guidance of the United Nations Humanitarian Coordinator, is seen as a first step towards building with the parties to the conflict a dialogue on access. In order to further the humanitarian imperative and to ensure the smooth delivery of life-saving humanitarian assistance, it is necessary that:

(a) The issue of humanitarian access must be on an equal footing with, and not contingent upon, the military and political elements of the peace process. Moreover, as the combatants' observance of the right of civilians in need to humanitarian assistance is based upon international law, the concept is non-negotiable and can only be discussed in terms of mechanisms for access;

(b) Given the fragile state of the peace process and the steadily degrading humanitarian situation, it is imperative that the humanitarian community has immediate and independent access to the parties to the conflict, in order to establish working modalities for accessing all Sierra Leoneans in need.

VII. FUTURE ROLE OF THE UNITED NATIONS OBSERVER MISSION IN SIERRA LEONE

49. UNOMSIL currently consists of 24 military observers, including two medical personnel, as well as 29 international and 24 national staff members. This includes 10 military observers recently deployed to assist in the expanded tasks of the Mission. The planned deployment of a further 16 observers during the month of June, together with the necessary support personnel, vehicles, communications and other essential equipment, will restore the mission's military capacity to the level it had attained last December. The security situation permitting, I would then proceed to deploy additional observers up to the limit of 70, with an additional 15 medical personnel, as authorized by the Security Council in its resolution 1181 (1998) of 13 July 1998. In view of the security considerations, the need to improve medical and casualty evacuation capacity and the enhanced monitoring and observation role being played by UNOMSIL, an additional helicopter will be required.

50. UNOMSIL's intensive preparations for the intra-RUF and RUF-Government talks have required my Special Representative and his immediate staff to travel to Monrovia and Lomé, in addition to consulting closely with the Government in Freetown. In view of the likelihood that the peace talks and related activity will require a high level of United Nations involvement, I intend to increase the civilian staff in the office of my Special Representative by two political

officers. The human rights section also needs to be restored to its previous staffing level of five persons in view of the significant human rights monitoring and technical cooperation requirements in Sierra Leone. In this connection, there is a need for forensic experts, and I would ask donors to consider making available their services.

51. UNOMSIL's military component, thus restored to its former strength, will continue to monitor the ceasefire within the limits of its resources. It will also continue to establish, maintain and improve contacts with local RUF commanders with a view to establishing joint military commissions. The functions of these commissions will include identifying and locating forces on the ground; obtaining written assurances from rebel commanders of their commitment to the ceasefire and guarantees of security for United Nations personnel; and generally to build confidence, facilitate contacts and resolve disputes. Provision would also be made for deploying teams of five or six members to Lungi, Hastings, Port Loko and Bo, depending on the security situation. Observers outside Freetown would be co-deployed with ECOMOG to ensure their security.

52. I have given much thought to activities that might be carried out by an expanded UNOMSIL presence in the event of a peace agreement. To that end, I dispatched a military assessment and planning team to Sierra Leone at the end of May to develop a revised concept of operations for a possible enlargement of the Mission.

53. My detailed recommendations to the Council on the size, mandate and configuration of an eventual expanded UNOMSIL will depend on the provisions of any peace agreement that the Government and RUF may sign in Lomé, and on the considerations on the ground, notably security.

54. One important consideration in redefining UNOMSIL's tasks would be the future strength, activities and state of deployment of ECOMOG. While these are not yet known, I would anticipate that ECOMOG would remain in Sierra Leone as a stabilizing influence, with a well-defined mandate that would include ensuring the security of vital areas of the country.

55. At this point, however, I envisage the need for UNOMSIL itself to be prepared to ensure the security of United Nations personnel if it is to deploy effectively to assist in the implementation of an eventual peace agreement. To this end, bearing in mind the likely security situation and the confused and unpredictable nature of the conflict, there might well prove to be a need for the deployment of a sizeable number of infantry and additional observers, along with the necessary equipment and military logistical support. Subject to Council authorization, these troops would be deployed in phases to accomplish a range of possible tasks.

56. These can be more precisely defined only in the light of an eventual peace agreement, but are likely to include the following:

(a) Monitoring and supervising the ceasefire;

(b) Supervising, monitoring and assisting in the encampment, disarmament and demobilization of former combatants;

(c) Providing security to United Nations personnel, including military observers;

(d) Providing assistance to humanitarian efforts;

(e) Providing planning and logistical support for an eventual election.

57. I will revert to the Council with detailed proposals for a revised mandate and concept of operations for its consideration as soon as a peace agreement has been signed. However, in addition to the military requirements outlined above, I would also envisage a significant expansion of the civilian personnel, including those engaged in political, human rights and logistical support functions. Moreover, any enhanced role that UNOMSIL might play, whatever the final shape of the peace agreement, will benefit greatly from the acquisition of a nationwide broadcasting capacity. Experience has shown the clear advantages to a United Nations peacekeeping mission of access to its own radio facility. I would therefore appeal to donors to consider making such equipment available, and would envisage a modest increase in UNOMSIL's public information staff accordingly.

VIII. FINANCIAL ASPECTS

58. As indicated in my previous report (S/1999/237), the General Assembly, by its resolution 53/29 of 20 November 1998, appropriated an amount of $22 million for the establishment and operation of UNOMSIL for the period ending 30 June 1999. With regard to the subsequent 12-month period beginning on 1 July 1999, my budget submitted to the Assembly in February 1999 (A/53/454/Add.1) amounts to $16.4 million and provides for the maintenance of the Mission at the strength authorized by the Security Council in its resolution 1181 (1998). I intend to seek authorization from the Advisory Committee on Administrative and Budgetary Questions to use the budgeted resources once the Council takes action on my recommendation contained in paragraph 71 below as to the extension of the Observer Mission's mandate.

59. Therefore, should the Council decide to extend the mandate of UNOMSIL, the cost of restoring the Mission's military capacity to the level it had attained in December 1998 as well as its subsequent maintenance at the restored strength will be within the resources already provided by the General Assembly and my budgetary projections for the 1999/2000 financial period.

60. With regard to the estimated costs associated with the expansion of UNOMSIL, I shall submit my proposals to the General Assembly at a later date, when my detailed proposals for a revised mandate and concept of operations of the Mission will have been finalized and submitted to the Security Council for its consideration.

61. As at 31 May 1999, unpaid assessed contributions to the UNOMSIL special account amounted to $4.7 million. The total outstanding assessed contributions

for all peacekeeping operations at that date amounted to $1.6 billion. Contributions to the Trust Fund to Support United Nations Peacekeeping-related Efforts amounted to $2.8 million, with expenditures authorized in the amount of $1.1 million.

IX. OBSERVATIONS AND RECOMMENDATIONS

62. Despite the continued unpredictability of the conflict situation in Sierra Leone, I am encouraged by the significant progress that has been made in the pursuit of dialogue between the Government of Sierra Leone and RUF. This is the first time in three years that a political settlement might be within reach to break the cycle of violence that has held the country in its grip since 1991. I welcome the Government's readiness to open talks with RUF, and call upon the latter to seize this opportunity to demonstrate its willingness to show flexibility in the interest of peace in Sierra Leone. In particular, as I stated publicly at the time, I welcome the signing on 18 May of the ceasefire agreement, which has helped to create an atmosphere conducive to the success of the peace talks. I reiterate my call to RUF/AFRC, CDF, the Government and ECOMOG to adhere strictly to its terms. I wish to express my appreciation to all the Governments concerned, in particular the Government of Togo and President Gnassingbe Eyadema, the current Chairman of ECOWAS, for hosting the talks, as well as the national and international organizations which have facilitated the dialogue process.

63. Nevertheless, the killings, mutilations and other human rights abuses perpetrated by rebel forces against the civilian population in Sierra Leone as well as the widespread destruction of property wreaked on a country which already ranks among the poorest in the world are deeply deplorable. Any armed opposition that expects to gain legitimacy and recognition in the eyes of the world must be prepared to renounce and atone for inflicting such suffering on non-combatants. I call upon the RUF leadership to prove its sincere commitment to peace and ensure the compliance of all its fighters with international human rights standards and humanitarian law, including the release of all abductees. In this context, I note the announcement made by the RUF leadership of its intention to investigate abuses committed by its troops and to invite international observers to take part in this process, and call upon them to demonstrate without delay their will and capacity to do so.

64. Concern about the extent of human rights violations in Sierra Leone has received increasing international attention. I welcome the intention of the United Nations High Commissioner for Human Rights, Mary Robinson, to visit Sierra Leone in late June to examine the situation on the ground and to obtain tangible commitments regarding the prevention of abuses and accountability of perpetrators. I am also gratified by the proposal by President Kabbah to establish a national Human Rights Commission in Sierra Leone as well as the creation of a truth and reconciliation mechanism as part of a peace agreement. These are important steps in acknowledging the pain of the victims and restoring national dignity and faith as part of efforts to achieve lasting peace, and these measures should receive all possible support from the donor community.

65. In this context, I also wish to commend the initiative of the ECOMOG Force Commander, Major-General Felix Mujakperuo, in establishing a Civil-Military Relations Committee to investigate allegations of human rights violations by pro-Government forces. These investigations are being undertaken with the full participation of representatives of all sectors of Sierra Leonean society, with the United Nations in an international observer role.

66. In line with the dual-track approach, ECOMOG deserves praise for its continued efforts in support of the Government and people of Sierra Leone, as do the Governments of Nigeria, Guinea, Ghana and Mali for their steadfast commitment towards restoring security and stability in Sierra Leone, with the assistance of donor countries, including Canada, the Netherlands, the United Kingdom and the United States. I call upon the international community to continue supporting ECOMOG logistically and also to assist the process of the rebuilding of the Sierra Leone armed forces.

67. There is also an urgent need to resume the process of disarmament, demobilization and reintegration of the current ex-combatants and to prepare the groundwork for an expansion of such activities as part of a peace agreement. I hope that the Government of Sierra Leone will continue to provide the necessary impetus to the national disarmament, demobilization and reintegration programme and ensure its viability as an incentive for all rebel fighters willing to lay down their arms at this critical juncture in the peace process. It is also important for the Government to work closely with donors on the development of a revised disarmament, demobilization and reintegration plan, with a well-defined operational plan and clear funding arrangements, to be put into effect in the context of a peace agreement.

68. There is an urgent need to consider how RUF/AFRC might be transformed into a legitimate political party in parallel with the process of reintegrating former combatants into society. I would also call for an end to all recruitment of children as soldiers, and would hope that any eventual peace agreement would embody commitments on the part of all parties to demobilize their child participants immediately. Disarmament, demobilization and reintegration programmes should consider giving priority to children under 18.

69. The persistent reports of arms supplies reaching the rebel forces are disturbing. Any support for RUF/AFRC by outside parties serves to perpetuate the conflict in Sierra Leone, whether it be motivated by economic interests or other strategic aims. I reiterate my call to all States to comply strictly with the embargo on the sale or supply of arms and related matériel to non-governmental forces in Sierra Leone imposed by the Security Council in its resolution 1171 (1998).

70. The dire humanitarian situation underscores the need to establish mechanisms to ensure unhindered humanitarian access to all parts of the country and to promote effective coordination and cooperation between humanitarian agencies, the Government and RUF. There is a critical need to facilitate the delivery of humanitarian aid to people in need, which requires the protection of and respect for humanitarian relief workers, goods and properties. Negotiation for humanitarian access should be guided by the code of conduct for humanitarian agencies operating in Sierra Leone. While recognizing the considerable

constraints of the present situation and from lessons learned negotiating humanitarian access in the Sierra Leone context, the humanitarian community is encouraged by the present political climate, and calls upon the international community for its continued support for humanitarian action. Specifically, the international community is urged to continue its support for dialogue with the aim of achieving unhindered humanitarian access to all areas of the country and, once granted, for their continued support of humanitarian assistance.

71. The recent political developments, including the signing of a ceasefire agreement and the start of the dialogue, have significant implications for the work of UNOMSIL. It is critical that the Mission, under the leadership of my Special Representative, should remain in a position to render effective assistance to the peace process in Sierra Leone. I therefore recommend the extension of UNOMSIL's mandate for a further period of six months, until 13 December 1999, along the lines described above. However, I would hope well within that time period to be in a position to revert to the Council with recommendations for an expanded mandate in implementation of a peace agreement.

72. I take this opportunity to express appreciation to my Special Representative, Francis G. Okelo, the Chief Military Observer, Brigadier General Subhash C. Joshi, and the staff and military observers of UNOMSIL for their tireless efforts and dedication to advance the peace process in Sierra Leone.

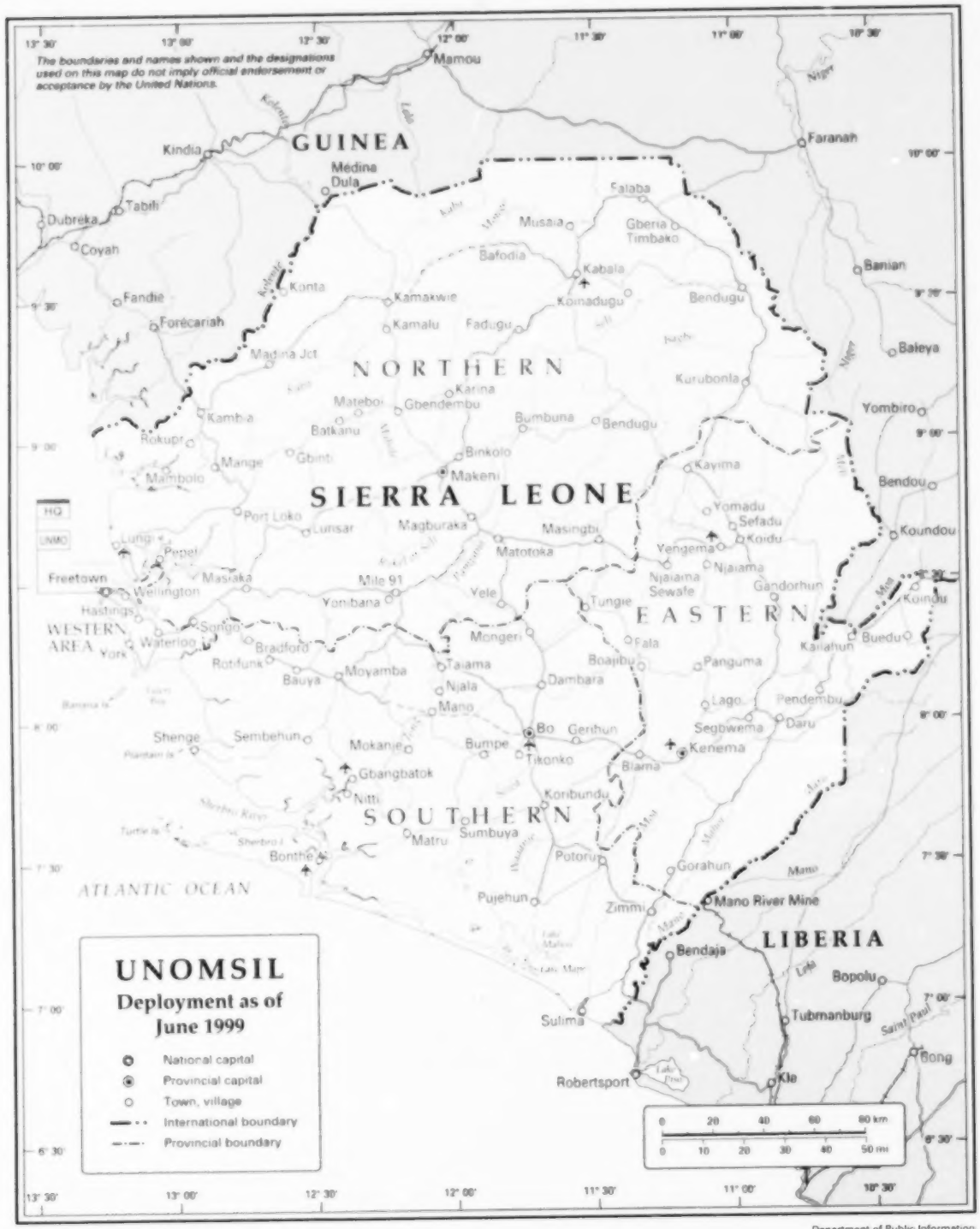
Annex

United Nations Observer Mission in Sierra Leone: contributions as at 8 June 1999

	Military observers	Others[a]	Total
China	2		2
Egypt	2		2
India	2	2	4
Kenya	2		2
Kyrgyzstan	1		1
New Zealand	2		2
Pakistan	2		2
Russian Federation	3		3
United Kingdom of Great Britain and Northern Ireland	4		4
Zambia	2		2
Total	22[b]	2	24

[a] Medical team.

[b] Including the Chief Military Observer.



Map No. 4065 Rev. 4 UNITED NATIONS
June 1999

Department of Public Information
Cartographic Section